

REMARKS

The only issues outstanding in the Final Rejection mailed July 17, 2007, are the rejections under 35 U.S.C. §112 and §103. The Examiner is thanked for indicating the withdrawal of certain rejections under 35 U.S.C. §112, and is moreover sincerely thanked for consideration of applicants' proposed amendment.

The foregoing amendments are the same as the proposed amendment, including the additional change to claim 3, requested by the examiner. As a result, it is submitted that all rejections of record are overcome.

Rejection of Claim 3

Claim 3 has been rejected under 35 U.S.C. §112, second paragraph. The foregoing amendment removes the "can be" language in the definitions of X and Y, and corrects the Markush language in claim 3 by inserting the word "or" in the appropriate place. Thus, withdrawal of the rejection is respectfully requested.

Rejection of Claims 8-12 and 14-16

Claims 8-12 and 14-16 remain rejected under 35 U.S.C. §103 over Schubert '628. Reconsideration of this rejection is respectfully requested.

The foregoing Amendment modifies claim 8 (upon which claims 9-12 and 14-16 depend, either directly or indirectly) by deleting, from the definition of R^2 , a hydrogen atom. Thus, the present compounds are 2-substituted on the steroidal ring by halogen or CF_3 , while the compounds of Schubert are 2-unsubstituted. It is thus respectfully submitted that the reference does not suggest the presently claimed compounds under 35 U.S.C. §103, and withdrawal of the rejection is respectfully requested.

The claims in the application are submitted to be in condition for allowance. However, if the examiner has any questions or comments, she is cordially invited to telephone the undersigned at the number below.

No fee is believed due with this response, however, the Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

/Harry B. Shubin/

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